

U.S. Department of Homeland Security
500 12th Street, SW
Washington, D.C. 20536



**U.S. Immigration
and Customs
Enforcement**

August 8, 2019

Andrew Free
Dept MR 74018
411A Highland Ave
Somerville, MA 02144

RE: 2019-ICAP-00490, 2019-ICFO-40302

Dear Mr. Free:

This is in response to your letter, received July 12, 2019, appealing the U.S. Immigration and Customs Enforcement (ICE) Freedom of Information Act (FOIA) Office's response to your FOIA request. Your FOIA request sought “[a]ll significant event notifications and significant incident reports created between January 1, 2019 and April 30, 2019 by the New Orleans Field Office regarding any attempt by a detained immigrant to commit suicide in civil ICE detention.”

By letter dated June 27, 2019, the ICE FOIA Office provided its final response. The ICE FOIA Office stated:

You have requested records concerning a third party. Records pertaining to a third party generally cannot be released absent express authorization and consent of the third party, proof that the subject of your request is deceased, or a clear demonstration that the public interest in disclosure outweighs the personal privacy interest and that significant public benefit would result from the disclosure of the requested records. Since you have not furnished a release, death certificate, or public justification for release, release of the requested records concerning a third party would result in an unwarranted invasion of personal privacy in violation of the Privacy Act, 5 U.S.C. § 552a. In addition, third-party records are also generally exempt from disclosure pursuant to sections (b)(6) and (b)(7)(C) of the Freedom of Information Act, 5 U.S.C. § 552.

Should you obtain the written authorization and consent from the third party referenced in your request for release of the records, please submit a new request for the documents accompanied by the written authorization and consent.

You have appealed the ICE FOIA Office's determination.

Upon a complete review of the administrative record, ICE is remanding your request to the ICE FOIA Office for processing and tasking to the appropriate agency/office(s) to obtain any responsive documents. The ICE FOIA Office will respond directly to you.

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Should you have any questions regarding this appeal remand, please contact ICE at ice-foia@dhs.gov. In the subject line of the email, please include the word “appeal,” the appeal number, which is **2019-ICAP-00490**, and the FOIA case number, which is **2019-ICFO-40302**.

Sincerely,



For: Shiraz Panthaky
Chief
Government Information Law Division
ICE Office of the Principal Legal Advisor
U.S. Department of Homeland Security